

IRELL & MANELLA LLP
Andra Barmash Greene (123931)
agreene@irell.com
A. Matthew Ashley (198235)
mashley@irell.com
840 Newport Center Drive, Suite 400
Newport Beach, California 92660-6324
Telephone: (949) 760-0991
Facsimile: (949) 760-5200

Attorneys for Defendant

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO**

| | | |
|--|---|---|
| L.A. Taxi Cooperative, Inc. dba Yellow Cab Co.; Administrative Services SD, LLC dba Yellow Radio Service; All Yellow Taxi, Inc. dba Metro Cab; American Cab, LLC; American Cab, LLC dba Pomona Valley Yellow Cab; Bell Cab Company, Inc.; Big Dog City Corporation dba Citywide Dispatch, Citywide Taxi, and Big Dog Cab; Cabco Yellow, Inc. dba California Yellow Cab; C&J Leasing, Inc. dba Royal Taxi; G&S Transit Management, Inc.; Gorgee Enterprises, Inc.; LA City Cab, LLC; Long Beach Yellow Cab Co-operative, Inc.; Network Paratransit Systems, Inc.; South Bay Co-operative, Inc. dba United Checker Cab; Taxi Leasing, Inc. dba Yellow Cab of Ventura County; Tri-City Transportation Systems, Inc.; Tri Counties Transit Corporation dba Blue Dolphin Cab of Santa Barbara, Yellow Cab of Santa Maria, and Yellow Cab of San Luis Obispo; and Yellow Cab of South Bay Co-operative, Inc. dba South Bay Yellow Cab, |) | Case No. 3:15-cv-01257-JST |
| <i>Plaintiffs,</i> |) | DECLARATION OF A. MATTHEW ASHLEY IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS |
| vs. |) | |
| Uber Technologies, Inc.; Rasier, LLC; and Rasier-CA, LLC, |) | |
| <i>Defendants.</i> |) | |

1 I, A. Matthew Ashley declare as follows:

2 1. I am an attorney at law, admitted to practice in the United States District Court,
3 Northern District of California, and I am a partner with the law firm of Irell & Manella LLP,
4 counsel of record for Defendants Uber Technologies, Inc., Rasier, LLC, and Rasier-CA, LLC
5 (“Defendants”).

6 2. I have personal knowledge of each fact stated in this declaration and, if called as a
7 witness, I could and would competently and truthfully testify thereto.

8 3. Plaintiffs’ complaint, at for example paragraph forty-three, cites to statements made
9 on Uber’s Safety webpage. The webpage is accessible at the following URL address:
10 <https://www.uber.com/safety>. A true and correct copy of the Uber’s Safety webpage is attached
11 hereto as **Exhibit A**.

12 4. Uber’s Safety webpage contains an interactive panel titled “Rider Safety.” The
13 panel contains four clickable buttons that correspond to four different “Rider Safety” features: (1)
14 “Background Checks”; (2) “No Hailing,” (3) “Anonymous Feedback,” and (4) “Driver Profiles.”
15 When a visitor clicks on each button, they can read a description of the corresponding feature. A
16 true and correct copy of what a visitor is shown when he or she clicks on each button is attached
17 hereto as **Exhibit B**.

18 5. Plaintiffs’ complaint, for example at paragraph fifty-eight, cites a blog post hosted
19 on Uber’s website titled “Uber Background Checks.” This blog post is accessible at the following
20 URL address: <http://blog.uber.com/driverscreening>. A true and correct copy of this blog post is
21 attached hereto as **Exhibit C**.

22 6. Paragraph sixty-three of Plaintiffs’ complaint quotes an online news article titled
23 “Local 4 Defenders: Is Uber X safe?” The article is accessible at the following URL address:
24 <http://www.clickondetroit.com/news/local-4-defenders-is-uberx-safe/26944252>. A true and
25 correct copy of this article is attached hereto as **Exhibit D**.

26 7. Paragraph sixty-four of Plaintiffs’ complaint quotes an online news article titled
27 “Faulty Background Checks May Put UberX Passengers at Risk, Report Says.” The article is
28

1 accessible at the following URL address: <http://mashable.com/2014/04/29/uberx-passengers-risk>.

2 A true and correct copy of this article is attached hereto as **Exhibit E**.

3 8. Paragraph sixty-five of Plaintiffs' complaint quotes an online news article titled "Is
4 Uber Keeping Riders Safe?" The article is accessible at the following URL address:
5 <http://www.nbcbayarea.com/investigations/Is-Uber-Keeping-Riders-Safe-256438921.html>. A true
6 and correct copy of this article is attached hereto as **Exhibit F**.

7 I declare under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct.

9 Executed on May 14, 2015, at Newport Beach, California

10
11 By: /s/ A. Matthew Ashley
A. Matthew Ashley

ECF ATTESTATION

I, Michael D. Harbour, am the ECF user whose ID and password are being used to file
DECLARATION OF A. MATTHEW ASHLEY IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS. I hereby attest that I received authorization to insert the signatures
indicated by a conformed signature (/s/) within this efiled document.

By: /s/ Michael D. Harbour

Michael D. Harbour